

# Librarians' Advocate

Number 2, May 1972

UNIVERSITY COUNCIL American Federation of Teachers AFL-CIO

## NO IMPROVEMENTS IN "FINAL" DRAFT OF SECTION 82

Librarians at the University of California will observe an important anniversary this year. July 1, 1972 will mark the passage of exactly ten years since, by a stroke of Clark Kerr's pen, librarians were transformed into academic employees.

During this time librarians have been struggling to achieve a definition of that status. They are one of the few groups of academic employees without a section of the Administrative Manual on their appointment and promotion policies and other basic conditions of employment.

Two years ago UC administration issued its first draft of the proposed Section 82. Librarians on every campus thoroughly reviewed and discussed the first and successive drafts submitted by Vice President Angus Taylor. There was near unanimity that the administration's proposals fell far short of an acceptable policy. On every campus AFT librarians and Library Association of the University of California (LAUC) chapters rejected the UC drafts.

### KEY LIBRARIAN DEMANDS

On April 5, 1972 Angus Taylor issued a fourth version of Section 82 and declared that it would be implemented on July 1, 1972. This so-called final version, like its predecessors, did not meet key librarians demands such as security of employment, a fair and impartial grievance procedure with binding arbitration, a real voice in library affairs, salaries comparable to those paid in the California community colleges and the federal government, and sabbatical leave.

The security of employment issue is of special importance because of the University's position stated in a 1965 court case involving a dismissed librarian that in the absence of tenure or security of employment, there is no legal right to "university employment" and the University could fire anyone at any time it wanted and for any reason.

The background of the April 5 draft should be of interest to all UC employees. Last Fall the AFT circulated its own draft of Section 82 to all librarians. As a result of organizing efforts since then, a majority of librarians on all campuses have indicated support for the AFT proposals and most have designated the AFT to represent them. However, Angus Taylor has refused to agree to a statewide meeting to discuss these proposals.

But on February 23, Taylor met at Davis with Michael MacInnes, LAUC President, and Theodore Gould, the Vice-President. After the meeting MacInnes expressed dissatisfaction with the results because Angus Taylor rejected any significant improvement in the administration's draft.

### HAS LAUC CAPITULATED?

On March 13, MacInnes sent a letter to all LAUC chapters which was cleared in advance by Angus Taylor. In it MacInnes made it clear that he had been won over by UC administration arguments that librarians had rejected for years. MacInnes wrote:

*The conference was positive and generally constructive. If any lack of understanding existed about the attitudes and feelings of LAUC personnel toward the proposed Section 82 and 51-4, it has been dissipated. On the other hand, the Executive Board has a greater appreciation of the pressures on Dr. Taylor from a number of other sources and better understands some of the legal and semantic problems involved in writing the proposed sections so as to be acceptable to a variety of interested parties ...*

Dr. Taylor was not amenable to discussing the Long-Range Salary Goal, but preferred to concentrate on conversion under present funding ... Dr. Taylor told us that there is simply no other funding available for adjusting salaries upward in 1972/73 except funds for merit increases and promotions and range adjustment funds ...

We then took up "continuity of employment based on satisfactory performance of duties, including the right of employment which would be denied only after a proper hearing".

It is Dr. Taylor's opinion that these rights are safeguarded without the use of such terminology as "tenure" and "security of employment". However, in the present sociological and legal climate, security of employment does exist, *de facto*, for employees who perform satisfactorily after completing a probationary period ...

The issue of a proper hearing and grievance procedure was discussed at length. Dr. Taylor believes, and I concur that a meaningful grievance procedure for academic employees who are not members of the Academic Senate does exist under the terms of Section 191.

While it is true that no recommendations, including those from the most prestigious faculty committees, are binding on campus chief administrative officers, and cannot be binding without basic changes affecting the personnel structure of the entire University, there does exist an intellectual, moral and humanitarian obligation, in addition to very practical considerations on the part of the chief administrative officers, to be responsive to those committees which they appoint and instruct to return recommendations for their action.

Among the practical considerations would be the dangerous risk of opening up a potentially erosive credibility gap between a chancellor and his academic community if he were to callously disregard recommendations from his appointed committees. Beyond the provisions of Section 191, there are of course other avenues of recourse to the grievant, such as HEW, FEPC, and the civil courts ...

### FOR GREATER FLEXIBILITY

In general, Dr. Taylor believes that it is advisable to use permissive rather than mandatory language in Section 82 in order to provide flexibility to accommodate local variations and autonomy on each campus ...

One concession Dr. Taylor made was that faculty-like criterion for merit increases and promotion need not be fully applied to librarians. Implicit in this concession is the recognition that this particular demand might imply that librarians be given for research, publication and community activity, such as reduced work loads, and this the University does not propose to grant.

There must be few librarians now extant who believe in the existence of a University of California "intellectual, moral and humanitarian obligation" to staff, whether academic or nonacademic. They will agree, of course, that there are indeed "very practical considerations" the University must take into account, such as the power of organized employees to fight successfully for common goals. Definitely not included in these practical considerations is the "dangerous risk of opening up a potentially erosive credibility gap between a chancellor and his academic community". That credibility gap exists now, and it is not merely a gap, it is a canyon, across which librarians and others have been listening to the sound of their own voices bouncing back emptily for years.

Of course Dr. Taylor prefers "permissive rather than mandatory language". To the administration, legal obligation is an anathema. The AFT is asking for basic changes affecting the personnel structure of the University librarians, nothing less. It wants the University to be bound by contract and by law, and by the same rules that govern the rest of society. There is no justification for the University administration to continue its flagrant abuse of fundamental employee rights.

Ed Goodman, President of the AFT's University Council, stated that the AFT regards any attempt to implement the draft of Section 82 on July 1 as a violation of UC's obligation to meet and confer in good faith with unions, as required by California law.

### A PROMOTION

Michael MacInnes has just been promoted to the position of Assistant University Librarian at Irvine with a substantial increase in pay.

# BERKELEY LAUC REPUDIATES MAC INNES

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THE GENERAL LIBRARY

BERKELEY, CALIFORNIA 94720

May 5, 1972

Chancellor Albert H. Bowker  
200 California Hall  
Campus

Dear Chancellor Bowker:

The Executive Committee of the Librarians' Assembly of the University of California, Berkeley, has received and studied the texts, dated April 3, of Sections 82 and 51-4 as they are apparently intended to be incorporated in the Administrative Manual. We can only report that we are gravely dissatisfied with the texts, and indeed disheartened at what appears to have been a lack of good will or good faith on the part of the University administration in all preceding discussions. The administration has been largely unresponsive to the critiques of the earlier drafts, which reflected great unanimity of view among University of California librarians with regard to their role, rights and duties in the academic community.

The LAUC/B Executive Committee forwarded to your office on January 14, 1972, its comments and recommendations with regard to the proposed draft of Sections 82 and 51-4. On January 21 Mr. Eldred Smith, Acting University Librarian, sent you his report of a meeting held on that day under the joint sponsorship of the Library administration and LAUC/B, in which he detailed a number of points of staff consensus, most of which underscored the Executive Committee's earlier statements. On January 27 the Executive Board of the statewide Librarians' Association of the University of California sent to Vice-President Angus Taylor its comments and recommendations on the same subject, based on a consensus of the nine LAUC divisions, many points of which embodied LAUC/B's opinions. Despite the consistent criticisms in these documents, the only substantial concessions to librarians' wishes have been in the modification of the section on criteria (82-10-b) and in the compromise modification of 82-17-b(2) and (4). Section 82-4-f represents a minor concession.

One of the gravest flaws in the previous drafts was their inexplicable evasion of any assurance of continuity of employment to be attached to the nebulous term "career status". In this connection the new document has added what can only appear to us to be a deliberate affront: the explicit denial of any continuity of employment in the sentence which has been added to Section 82-17-b(5).

The references to Section 191, Appeals, as an alleviation of the uncertainties caused by job insecurity prove to be meaningless when one examines that section. Section 191, even as complemented on some campuses by local appeals procedures, provides no guarantee of due process or

impartiality, nor does it resolve the inequities of Sections 82 and 51-4. An adequate grievance procedure should be an accepted right of all University employees, and should be detailed in the University Administrative Manual; it is a matter of basic civil rights, and not of local option.

Librarians' views on the degree of confidentiality desirable or feasible in the promotion review process, and their assessment of the educational requirements for the practice of their own profession, have also been ignored.

Finally, that most essential accompaniment to the previous documents, the table for conversion of rank and salary from five to three steps, has been entirely omitted. Many vexing questions raised by the concepts of conversion as they were previously presented remain unanswered. It is essential that librarians be made acquainted with the new schedule well before it becomes effective. One major problem related to conversion is the question of continuing career status for Librarians I and II with several years service in the University Libraries; at present these librarians are assumed to have de facto career status.

The librarians form not only one of the most stable segments of the University community, but also one of those most committed to academic excellence. The problems outlined above are of such vital concern to all University librarians that they will continue to be protested by individuals and by groups, if not resolved at this time.

The texts of Sections 82 and 51-4 are unacceptable in so many particulars that we can only urge that implementation be deferred until texts more acceptable to librarians are produced. We ask your support and your efforts to this end.

Yours sincerely,  
The Executive Committee, LAUC/B

*Sheila T. Dowd*

Sheila T. Dowd, Chairman  
Thomas Alexander  
Linda Beaupré  
Carlene Brown  
Marjorie Burr  
Lisa Cziffra  
Jack Leister  
Marilyn Peri  
Virginia Pratt  
Margaret Stuhalter

cc: Mr. Smith  
Members, LAUC/B  
M. MacInnes, President, LAUC

## University Provokes Walkout by Berkeley Librarians

More than 2,000 union members left their jobs at the University of California's Berkeley campus on April 17, to protest the University's refusal to reach agreements with campus unions on such issues as grievance procedures guaranteeing due process and neutral arbitration, and prevailing wages. Construction workers, stationary engineers, culinary workers, custodians, the printing trades, clerical workers, teaching and research assistants, faculty, and Teamsters, as well as librarians, are involved in the walkout. Months of negotiations had not succeeded in persuading the University to grant any important concessions to its dissatisfied employees.

The Berkeley librarians decided to join other unionists in the work stoppage for two reasons. First, they saw this action as the best possibility of obtaining redress for their own long-standing grievances. Second, they realized that the future of unions among academic employees hinged upon the success of the Building Trades Council, which includes some of the strongest unions in the labor movement. The librarians are concerned with the provisions of the University's newly announced "final" version of Section 82. Contained in that section of UC's Administrative Manual are such issues as a grievance procedure, security of employment, salary schedules and other conditions of employment.

Members of the AFT's San Francisco Librarians' Chapter are supporting a similar walkout at the University's Medical Center. The same issues have been raised by union workers on that campus, which saw some 1,000 employees leave their jobs on April 20th.

The University is being seriously hampered in its functions. Trash is piling up, with dumps in the surrounding area refusing to accept University garbage. Elevators and other mechanical equipment is beginning to fail. Library operations at Berkeley are anything but normal. The hours of several units have been curtailed, as librarians, library assistants and student library employees fail to report for work. The Moffitt Undergraduate Library was operating with only a skeleton crew, and was closed for an entire weekend. Supervisory employees are performing the jobs normally done by other library personnel, and have been instructed to clean restrooms and haul University trash home with them.

Morale among the protesting librarians and other unionists remains high. The University has never faced such well organized and broadly based opposition to its rule, and its workers are confident that an agreeable settlement will soon be reached.

The first negotiating session in Berkeley was held on May 4th, after the University's legal team failed to end the walkouts by court action.

## IRVINE, RIVERSIDE & SAN DIEGO

### LIBRARIANS JOIN THE AFT

In March and April, librarians at three more UC campuses learned that there is an organization which cares about them. The librarians heard the AFT's program librarians, which includes a reasonable Section 82 of the Administrative Manual, and an alliance with faculty and other academic employees that no other organization has offered.

Librarians at Irvine, Riverside and San Diego responded positively by joining AFT in substantial numbers. A good many librarians, while considering further question of AFT membership, have authorized the Union to represent them in discussions with the University Administration on Section 82.

AFT now has librarian members on all nine campuses of the University of California, and continues to grow at a rapid rate.

*Librarians' Advocate* is published quarterly by the University Council - AFT, 0 Channing Way, Berkeley, CA 94704. It is distributed free to all UC librarians, is available to others for a contribution of \$2.00 (pre-paid) for 4 quarterly issues. *CU Voice*, speaking for the Berkeley Librarians' union, ceased publication (no.8, June 1970) in order to make way for the *Librarians' Advocate*, the voice of librarians on all 9 campuses of the University of California.

President: Paul Goodman, Professor of History, Davis  
Executive Secretary: Sam Bottone, University Council Office

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## UC LIBRARIANS:

We CAN change Section 82. Sign this form now to  
convince UC administration that Section 82 should  
not be implemented until it contains the provisions  
that meet the basic needs of librarians.

### AUTHORIZATION TO REPRESENT

I hereby authorize the University Council - American Federation of Teachers to represent me in discussions with the University of California administration of Section 82 (Librarian Series) of the Administrative Manual.

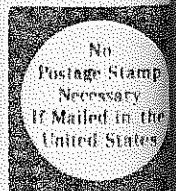
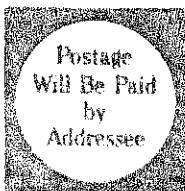
Signed ..... Date .....

Campus ..... Department .....

This authorization form will be kept confidential, and will not be shown to any UC administrator. If verification is required, only an impartial person, not connected with UC, will inspect the forms.

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